

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101

SUBJECT: Resolution
DG 6-2-02 P & J Estates, 10591 Orange Drive/generally located
on the north side of SW 42 Court at SW 105 Avenue.

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "P & J ESTATES" PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the restrictive note on the "P & J Estates" plat (161-23) from "this plat is restricted to 4 detached single family units (2 existing, 2 proposed), 6 existing stables and 2 existing storage buildings" to "this plat is restricted to 21 detached single family units".

Current Plat Note: This plat is restricted to 4 detached single family units (2 existing, 2 proposed), 6 existing stables and 2 existing storage buildings.

Proposed Plat Note: This plat is restricted to 21 detached single family units.

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site and has no objection to the request.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Justification letter, Plat, Future land use map, Subject site, zoning and aerial map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "P & J ESTATES" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as P & J Estates was approved by the Town of Davie by Resolution No. R-95-375 on December 20, 1995; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires the Town of Davie to concur with this amendment prior to a review of the proposed amendment by the Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposed revision to the restrictive note show on the P & J Estates plat, the proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002.

**Application #: DG 6-2-02/P & J Estates
Exhibit "A"**

**Revisions:
Original Report Date: 8/2/2002**

**TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation**

APPLICANT INFORMATION

Owner:

Name: Valentine Sellati

Address: 10591 Orange Drive

City: Davie, FL 33324

Phone: (954) 452-9342

Agent:

Name: Nibor Construction

Nate Chamberlain

Address: 10850 SW 25 Street

City: Davie, FL 33324

Phone: (954) 295-4959

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the restrictive note on the "P & J Estates" plat (161-23) from "this plat is restricted to 4 detached single family units (2 existing, 2 proposed), 6 existing stables and 2 existing storage buildings" to "this plat is restricted to 21 detached single family units".

Address/Location: 10591 Orange Drive/Generally located on the north side of SW 42 Court at SW 105 Avenue.

Future Land Use Plan Designation: Residential 1 DU/AC

Zoning: A-1, Agricultural District

Existing Use: 2 detached single family residences and multiple barns

Proposed Use: 21 detached single family residences

Parcel Size: 21.9453 acres (955,939 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
North:	Vacant	Residential (1 DU/AC)
South:	Single Family Residential	Residential (1 DU/AC)
East:	Single Family Residential	Residential (1 DU/AC)
West:	Single Family Residential	Residential (1 DU/AC)

	<u>Surrounding Zoning:</u>
North:	AG, Low Density Dwelling District
South:	A-1, Agricultural District
East:	A-1, Agricultural District
West:	A-1, Agricultural District

ZONING HISTORY

Related Zoning History: None.

Previous Request on same property: Town Council approved the P & J Estates Plat (P 9-1-95) with Resolution No. R-95-375 on December 20, 1995.

APPLICATION DETAILS

Petitioner is requesting to amend the restrictive note on the "P & J Estates" Plat (161-23) to reflect proposed level of development.

Current Plat Note: This plat is restricted to 4 detached single family units (2 existing, 2 proposed), 6 existing stables and 2 existing storage buildings.

Proposed Plat Note: This plat is restricted to 21 detached single family units.

Applicable Codes and Ordinances

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend the maximum level of development allowed on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation

request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Town of Davie Engineering Division had no comment on the proposed delegation request.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and is bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single-family residential at a density of one dwelling per acre.

The Broward County landfill site, located west of the site and now closed, is programmed for redevelopment as a park site (Vista View Park). The Boy Scout Camp is located north of the landfill site and is also used for recreational and open space purposes.

Flexibility Zone: The subject site falls within Flexibility Zone 100.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. Staff has no objection to the request.

Staff Recommendation

Recommendation: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Justification letter
2. Plat
3. Future Land Use Map
4. Subject Site, Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

**NIBOR CONSTRUCTION, INC.
TEMPLE BETH EMET
JOBSITE OFFICE
954-252-2667
FAX: 954-252-2668**

June 20, 2002

Planning Dept.
Town of Davie
6591 Orange Drive
Davie, Fl. 33314-3399

Re: P & J Estates

Dear Sir/Madam:

Please be advised by this correspondence of the application to the Town of Davie to request a change to the notation on the plat for P & J Estates designating the number of single-family units on the property.

The original note on the plat read, "This plat is restricted to 4 detached single family units, (2 existing, 2 proposed), 6 existing stables and 2 storage buildings." We respectfully request your approval changing the note to read, "This plat is restricted to 21 detached single family units."

This change in density is both compatible with the Town of Davie ordinances and zoning regulations, but also will bring the property into conformity with the surrounding neighborhoods and allow the economically feasible development of a distressed property.

Thank you for your expected cooperation in this matter.

Sincerely,


Nate Chamberlain
Buyer's Representative

JUN 20 2002

A REBUDGETION OF A PORTION OF BLOCK 4 OF "MATHIAS BRIGHT FAIRBANKS" SECTION 20, TOWNSHIP 60 NORTH, RANGE 41 EAST

SECTION 30, TOWNSHIP 30 SOUTH, RANGE 41 EAST,
PLAT BOOK 15 AT PAGE 76 (BORN)
TOWN OF DAVE-BROWARD COUNTY-FLORIDA

PULICE LAND SURVEYORS, INC.

8000 N. 101ST AVE., SUITE 100
DENVER, COLORADO 80231
(303) 751-8777

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2002-2003

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PHOTOGRAPH BY J. H. HARRIS

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'P & J ESTATES'

A REBUDOWSON OF A PORTION OF BLOCK 4 OF "NORTH BRIGHT FAIRB" SECTION 30, TOWNSHIP 30 SOUTH, RANGE 41 EAST PLAT BOOK 15 AT PAGE 10 (BORN)

TOWN OF DAVE-BROWN, AND COUNTY-FLORIDA

PULICE LAND SURVEYORS, INC.

PREPARED BY
 JOHN H. J. JONES
 PULICE, FLORIDA 32009

REPT. ON 2/18/78

THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES GOVERNING SURVEYING.

[Signature]
 J. J. JONES
 Surveyor

NOTED: THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES GOVERNING SURVEYING.

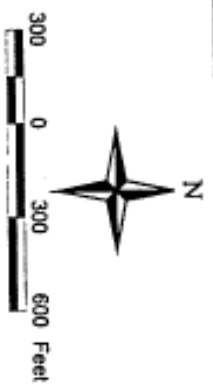


PLANNED FOR 1978-1979



PETITION NUMBER: DG 6-2-02

Zoning and Aerial Map
Aerial Date Flown: January, 2001
Scale: 1"=500'
Planning & Zoning Division - GIS
Prepared 6/27/02



PETITION NUMBER: DG 6-2-02

Future Land Use Map
Scale: 1"=500'
Planning & Zoning Division - GIS
Prepared 6/27/02

